

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

MYLES CONNOR

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CRIMINAL NO. 05-10091-GAO

GOVERNMENT’S REPLY TO DEFENDANT’S OPPOSITION TO
GOVERNMENT’S TO MOTION TO CONTINUE

In his Opposition to the Government’s Motion to Continue, the defendant does not address why the Court should require a revocation hearing in this matter, when the outcome of the state proceeding may well obviate the need for such a hearing. Instead, the defendant alleges that the Commonwealth’s case against the defendant is not meritorious and might be dismissed. See Defendant’s Opposition, ¶ 7 and 8. The implication is that this Court should assume that the state case will go away – contrary to the representation of the assistant district attorney assigned to the case, see Government’s Motion, ¶ 7 – and that the Court, therefore, should proceed with the revocation hearing.

That the state case might be resolved expeditiously, as the defendant suggests, is all the more reason why this Court should continue this matter until such resolution to avoid a duplication of time and effort. Moreover, the defendant offers not a single reason why his interests would be prejudiced by having the state case proceed first. The Court accordingly should grant the government's motion.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ Jonathan F. Mitchell
Jonathan F. Mitchell
Assistant U.S. Attorney

Dated: June 30, 2005

CERTIFICATE OF SERVICE

This is to certify that I have this day served upon the person listed below a copy of the foregoing document by mail and fax to:

Martin K. Leppo, Esq.
15 S. Main Street
Randolph, MA 02368
(508) 580-4841

This 30th day of June, 2005.

/s/ Jonathan F. Mitchell
JONATHAN F. MITCHELL
ASSISTANT UNITED STATES ATTORNEY